

REMARKS

In response to the Office Action mailed August 2, 2004, Applicants respectfully request reconsideration. To further the prosecution of this Application, Applicants submit the following remarks. The claims as now presented are believed to be in allowable condition.

Claims 1-21 were pending in this Application. Claims 22-26 have been added, therefore claims 1-26 are now pending in this application. Claims 1, 11, 20, and 21 are independent claims.

Rejections under §103

Claims 1-3, 8, 10-13, 17, 18, 20 and 21 were rejected under 35 U.S.C. §103(a) as being anticipated by U.S. Patent No. 5,809,078 to Tani et al. (hereinafter Tani) in view of U. S. Patent No. 5,831,975 to Chen et al. (hereinafter Chen).

Tani discloses in the Abstract a relay node used to buffer data being sent from one node to another node. Tani receives a data stream from a transmitting node and re-outputs the data stream to a receiving node. Tani includes a primary buffer and a secondary buffer and a data transfer section managing the operation of the primary buffer and the secondary buffer. The secondary buffer is used when the primary buffer is in danger of overflowing.

Chen discloses at column 5, lines 5-30, a method for hierarchical multicast routing in ATM networks. In Chen, ATM cells are sent from one source to multiple destinations using a single connection.

In contrast to Tani and Chen, independent claims 1, 11, 20 and 21 have been amended to recite that a collection of data is stored in the transferring node after completing the step of transferring the copy of the data (emphasis added). Thus, by way of the present invention, a node or client which just recently joined the network can request a copy of the collection data from the transferring node even though the initial distribution of the data has been completed. Neither Tani

nor Chen provide such a function. Tani uses its primary and secondary buffer for temporary storage during the transfer of data from one node to another node.

Tani does not store the data in the transferring node after the transferring of the data from one node to another node is complete. Chen fails to provide storing of the data in a transferring node after completing the transfer of data from one node to another node.

Since neither of Tani nor Chen, taken alone or in combination, disclose or suggest a transferring node wherein a collection of data is stored at a transferring node after completing the step of transferring the copy of the data, amended claims 1, 11, 20 and 21 are believed allowable over Tani and Chen. Claims 2-3, 7, 8, 10, 12-13, 17 and 18 depend from amended claims 1 or 11 and are believed allowable as they depend from a base claim which is believed allowable. Accordingly, the rejection of claims 1-3, 8, 10-13, 17, 18, 20 and 21 under 35 U.S.C. §103(a) as being anticipated by Tani in view of Chen is believed to have been overcome.

Claims 4, 9, 14 and 19 were rejected under 35 U.S.C. §103(a) as being anticipated over Tani in view of Chen and further in view of U.S. Patent No. 6,282,172 to Robles et al. (hereinafter Robles). Claims 4, 9, 14 and 19 depend from claims 1 or 11 and are believed allowable as they depend from a base claim which is believed allowable. Accordingly, the rejection of claims 4, 9, 14 and 19 under 35 U.S.C. §103(a) as being anticipated over Tani in view of Chen and further in view of Robles is believed to have been overcome.

Claims 22 -26 have been added. Claims 22- 26 depend from independent claims 1, 11 or 20 and are believed allowable as they depend from a base claim which is believed allowable. Further, claims 22 and 24 include the feature that the data stored in the transferring node can be accessed at a later time by the same child node and/or another node. This feature provides a manner for which a node or client which just recently joined the network can request a copy of the data from the transferring node even though the initial distribution of the data has been completed. This is described in the specification as filed at page 5, line 21

through page 6, line 6. Neither Tani nor Chen nor Robles, taken alone or in combination, disclose such a feature, therefore Claims 22 and 24 are believed allowable. Claims 23, 25 and 26 include the features of obtaining a multicast video stream and buffering a version of the multicast video stream; reading the multicast video stream from the volatile memory and sending a buffered version of the multicast video stream to the child node, saving a copy of the buffered multicast video stream in non-volatile memory, acquiring a request for data at a later time, retrieving the saved copy of the buffered multicast video stream from the non-volatile memory and sending the saved copy to the requesting node. This is described in the specification as filed at page 5, line 21 through page 6, line 6. Neither Tani nor Chen nor Robles, taken alone or in combination, disclose such a set features, therefore Claims 23, 25 and 26 are believed allowable.

Conclusion

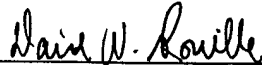
In view of the foregoing remarks, this Application should be in condition for allowance. A Notice to this affect is respectfully requested. If the Examiner believes, after this Response, that the Application is not in condition for allowance, the Examiner is respectfully requested to call the Applicants' Representative at the number below.

Applicants hereby petition for any extension of time which is required to maintain the pendency of this case. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 50-0901.

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If the enclosed papers or fees are considered incomplete, the Patent Office is respectfully requested to contact the undersigned collect at (508) 366-9600, in Westborough, Massachusetts.

Respectfully submitted,



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